



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA

ZONING MAP CHANGE REPORT



Meeting Date: November 2, 2015

Table A. Summary			
Application Summary			
Case Number	Z1500001	Jurisdiction	City (pending annexation)
Applicant	Edens Land Corps	Submittal Date	January 7, 2015
Reference Name	Leesville/Andrews Residential	Site Acreage	44.87
Location	6300 Leesville Road, at Leesville Road and Andrews Chapel Road		
PIN(s)	0769-02-55-0505, -3281, -04-64-4709, -1210, -3142, -1516, 5426		
Request			
Proposed Zoning	Planned Development Residential 3.291 (PDR 3.291)	Proposal	134 residential units
Site Characteristics			
Development Tier	Suburban Tier		
Land Use Designation	Low Density Residential (4 DU/Ac. or less)		
Existing Zoning	Residential Rural (RR)		
Existing Use	Single-family residential, agricultural, vacant		
Overlay	None	Drainage Basin	Lower Neuse
River Basin	Neuse	Stream Basin	Lick Creek and Brier Creek
Determination/Recommendation/Comments			
Staff	Staff determines that this request is consistent with the <i>Comprehensive Plan</i> and other adopted policies and ordinances.		
Planning Commission	Approval, 10-0 on September 10, 2015. The Planning Commission finds that the ordinance request is not consistent with the adopted <i>Comprehensive Plan</i> . However, should the plan amendment be approved, the request would be consistent with the <i>Comprehensive Plan</i> . The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report. See Attachment 10 for summary.		
DOST	No comments		
BPAC	See Attachment 7		

A. Summary

This is a request to change the zoning designation of seven parcels totaling 44.87 acres of from RR to PDR 3.291 for a residential development of up to 134 units. The site is located

at 6300 Leesville Road, at Leesville Road and Andrews Chapel Road (see Attachment 1, Context Map). This request is consistent with the *Comprehensive Plan* and applicable policies and ordinances.

This project is currently in the County's jurisdiction but is associated with an annexation request. Council will consider this zoning map change as part of a consolidated land use item which will include decisions on Annexation, Utility Extension Agreement, and this zoning map change request as an "initial" zoning of newly annexed land where the City is an applicant.

Appendix A provides supporting information.

B. Site History

There has been no recent zoning activity on this site.

C. Review Requirements

Planning staff has performed a sufficiency review for this Zoning Map Change request (reference UDO Sec. 3.2.4, Application Requirements [general] and 3.5.5, Application Requirements [for a Zoning Map Change]). This staff report presents the staff findings per Sec. 3.5.8, Action by the Planning Director, on the request's consistency with the Unified Development Ordinance and applicable adopted plans.

This review is based primarily on compliance with any applicable laws, plans, or adopted policies of the City Council. Any issues or concerns raised in this report are based on best professional planning practice unless they have a basis in adopted plans, policies, and/or laws.

D. Unified Development Ordinance (UDO) Compliance

This request is consistent with the requirements of the Unified Development Ordinance. The associated development plan (see Appendix A, Attachment 4, Development Plan reduction) provides the required elements for zoning map change requests in the PDR district (Sec. 3.5.6.D, Sec. 6.11.3). In addition, commitments in excess of UDO requirements have been made (see Appendix D for supporting information):

Text Commitments. Text commitments have been proffered to commit to requirements in excess of ordinance standards and include single-family residential, minimum lot size of 3,500 square feet, dedication of right-of way and four foot asphalt bicycle lane along Leesville Road and Andrews Chapel Road, site access improvements at site access point #1 and #5.

Graphic Commitments. Graphic commitments include the general location of site access points, tree preservation areas, potential stream crossings, and location of a greenway easement.

Design Commitments. Design Commitments are not required of single-family housing projects. However, the applicant has provided design commitments that will apply to

an amenity building and specify the committed design elements for style, roofline, and building materials.

Determination. The requested PDR 3.291 zoning district and associated development plan meets or exceeds the applicable requirements of the UDO. If this zoning map change request is approved, the attached development plan (Appendix A, Attachment 4) depicts a single-family residential project with a maximum of 134 units.

E. Adopted Plans

A zoning map change request must be consistent with the *Comprehensive Plan*. As such, other adopted plans have been included by reference in this document. Table E, Adopted Plans, in Appendix E identifies the applicable policies of the *Comprehensive Plan* and other adopted plans included by reference.

Determination. The requested zoning district and associated development plan is consistent with the Future Land Use Map of the *Comprehensive Plan* which designates the site as Low Density Residential (4 DU/Ac. or less).

Conditions in other adopted plans have been identified (see Appendix E, Table E):

Long Range Bicycle Plan Map 4.8. A proposed bicycle lane along Leesville Road and Andrews Chapel Road are shown as recommendations of the Long Range Bicycle Plan Map 4.8. The applicant is committing to providing an additional four feet of asphalt for the frontage of the site along both Leesville Road and Andrews Chapel Road to comply with the recommendation of this plan.

Long Range Bicycle Plan Map 4.8 and Durham Trails and Greenways Master Plan. Map 4.8 and the Durham Trails and Greenways Master Plan shows a proposed greenway trail (Brier Creek Trail) through the eastern portion of this site. The applicant is committing to providing a 50-foot greenway easement to accommodate this condition.

F. Site Conditions and Context

Site Conditions. The 44.87-acre site is comprised of seven parcels. Two of the parcels are undeveloped and five of them are used or were most recently used as single-family residences. The majority of the site is forested with a mix of hard- and soft-wood trees and there are two stream features on the site that require a riparian buffer of 50 feet.

Area Characteristics. This site is in the Suburban Tier and in an area transitioning from rural to suburban uses. The site is immediately adjacent to the recently approved, and partly built, Del Webb residential project, and in the vicinity of the recently approved Brier Creek Townes, Brier Creek Assemblage, The Corners at Brier Creek. This area, known as Brier Creek, straddles the Durham-Wake County line where, south of this site in Wake County, recent large-scale commercial and residential projects are underway and some have already been completed.

Appendix F provides a summary of the uses and zoning in the more immediate vicinity of the subject site.

Determination. The proposed PDR 3.921 district meets the ordinance and policy requirements in relation to site and context and is a reasonable request given the surrounding transitioning uses.

G. Infrastructure

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system, water and sewer systems, and schools. In each case, the impact of the change is evaluated based upon a change from the most intense development using the existing land use and zoning to the most intense use allowed under the request.

See Appendix G for additional information.

Determination. The proposed PDR district and associated development plan is consistent with *Comprehensive Plan* policies regarding the infrastructure impacts of road, transit, drainage/stormwater, and schools. The proposal is estimated to increase the traffic generation of the subject site by 800 daily trips, increase the students generated from the proposed use by 28 students, and increase the estimated water demand of the site by 12,710 gallons per day. The existing infrastructure has available capacity to meet these increases.

Unresolved Transportation Request. The applicant has indicated they wish for this case to proceed with the following unresolved transportation request:

Replace text commitment #9 with the following: "Widen Andrews Chapel Road to provide a three-lane roadway (with two northbound lanes and one southbound lane) from the southern boundary of the rezoning to Leesville Road. The three lane section will provide an exclusive northbound left-turn with adequate storage and appropriate taper at both Site Access #5 and Leesville Road."

Transportation agrees that this request is for an off-site roadway improvement which is not otherwise required under the Unified Development Ordinance. However, given the size/density of this development and the proximity of this intersection to the development, we believe this request is an appropriate consideration for this case.

Water and Sewer. This site is currently in the County and does not presently have access to the adequate water and sewer improvements that would be required of this development. However, a Utility Extension Agreement has been submitted to the City of Durham for these services.

H. Staff Analysis

Staff determines that this request is consistent with the *Comprehensive Plan* and applicable policies and ordinances.

I. Contacts

Table I. Contacts		
Staff Contact		
Amy Wolff, Senior Planner	Ph: 919-560-4137, ext. 28235	Amy.Wolff@DurhamNC.gov
Applicant Contact		
Agent: Anna Bressi, Edens Land Corp	Ph: 919-316-1855	anna.bressi@edensland.com

J. Notification

Staff certifies that newspaper advertisements, letters to property owners within 600 feet of the site and the posting of a zoning sign on the property has been carried out in accordance with Section 3.2.5 of the UDO. In addition, the following neighborhood organizations were mailed notices:

- Inter-Neighborhood Council
- Fayetteville Street Planning Group
- Friends of Durham
- Unity in the Community for Progress
- Olive Branch Road Association
- RDU HZO Permit Are

K. Supporting Information

Table K. Supporting Information		
Applicability of Supporting Information		
Appendix A	Application	Attachments: 1. Context Map 2. Future Land Use Map 3. Aerial Photography 4. Development Plan Reduction 5. Application 6. Submittal and Review History 7. BPAC Comments
Appendix B	Site History	N/A
Appendix C	Review Requirements	N/A
Appendix D	Unified Development Ordinance	Table D1: Designation Intent

Table K. Supporting Information		
		Table D2: District Requirements Table D3: Environmental Protection Table D4: Project Boundary Buffers Table D5: Summary of Development Plan
Appendix E	Adopted Plans	Table E: Adopted Plans
Appendix F	Site Conditions and Context	Table F: Site Context
Appendix G	Infrastructure	Table G1: Road Impacts Table G2: Transit Impacts Table G3: Utility Impacts Table G4: Drainage/Stormwater Impacts Table G5: School Impacts Table G6: Water Impacts
Appendix H	Staff Analysis	N/A
Appendix I	Contacts	N/A
Appendix J	Notification	N/A

Appendix A: Application Supporting Information

Attachments:

1. Context Map
2. Future Land Use Map
3. Aerial Photography
4. Development Plan Reduction
5. Application
6. Submittal and Review History
7. BPAC Comments

Appendix D: Unified Development Plan Supporting Information

Table D1. UDO Designation Intent	
PDR	Planned Development Residential - the PDR district is established to allow for design flexibility in residential development. A development plan is required with a request for this district, which shows a conceptual representation of the proposed site that indicates how the ordinance standards could be met. Any significant change to the development plan would require a new zoning petition. While PDR is primarily a residential district, other uses may be allowed under limited provisions of the ordinance.

Table D2. District Requirements – PDR			
	Code Provision	Required	Committed
Minimum Site Area (acres)	6.11.3.B.1	4	44.87
Residential Density (maximum)	6.11.3.C	Specified on plan	3.291 (DU/Ac.)
Maximum Height (feet)	6.11.3.C.3	35	35
Minimum Street Yard (feet)	6.11.3.E.1	8	8
Minimum Open Space (%)	6.11.3.F	16 (7.12 acres)	16 (7.12 acres)

Table D3. Environmental Protection			
Resource Feature	UDO Provision	Required	Committed
Tree Coverage	8.3.1C	20% (8.90 acres)	20% (8.90 acres)
Stream Protection (buffer in feet)	8.5.4.B	50	50

Table D4. Project Boundary Buffers			
Cardinal Direction	Adjacent Zone	Required Opacity	Proposed Opacity
North	RR	N/A (right-of-way greater than 60 feet)	N/A
		0.2/0.2	0.2 (10 feet)
East	RR	N/A (right-of-way greater than 60 feet)	N/A
		0.2/0.2	0.2 (10 feet)
South	RR	0.2/0.2	0.2 (10 feet)
West	PDR 3.700	0/0	N/A

Table D5. Summary of Development Plan		
Components	Description	Development Plan Sheet
Required Information	Intensity/Density. 134 residential units = 3.291 DU/Ac.	D-2
	Building/Parking Envelope not required of single-family projects.	N/A
	Project Boundary Buffers are appropriately shown	D-2
	Stream Crossing. Two (2) shown.	D-2
	Access Points. Seven (7) access points have been identified.	D-2
	Dedications and Reservations. See text commitments below.	Cover, D-2
	Impervious Area. 70% = 31.15 acres	D-2
	Environmental Features. Streams and associated buffers impact the subject property.	D-1, D-2
	Areas for Preservation. Stream buffer, tree preservation.	D-2
	Tree Coverage. 20% (8.90 acres) as shown.	D-2
Graphic Commitments	Location of tree preservation areas. Location of access points. Location of potential stream crossings. Location of proposed greenway easement.	D-2

Text Commitments	<ol style="list-style-type: none"> 1. The proposed development will be limited to single family residential and accessory uses. 2. Minimum lot size for any single family residential lot shall be 3,500 square feet. <p><u>Prior to the issuance of any building permit (text commitments #3-#5 only)</u></p> <ol style="list-style-type: none"> 3. Dedicate an additional 10 feet of right-of-way for the frontage of the site along Leesville Road. 4. Dedicate an additional 10 feet of right-of-way for the frontage of the site along Andrews Chapel Road. 5. Dedicate a 50 foot greenway trail easement extending from the eastern boundary of the site at Andrews Chapel Road near the Leesville Road intersection westward thru the site to the adjacent common boundary line with the Montessori School of Raleigh property. <p><u>Prior to the issuance of a Certificate of Occupancy (text commitments #6-#9 only)</u></p> <ol style="list-style-type: none"> 6. A minimum of four feet of additional asphalt (in addition to the proposed roadway improvements) will be provided for the full frontage of the site along the south side of Leesville Road. The additional asphalt widening will be provided to allow for a bicycle lane. 7. A minimum of four feet additional asphalt (in addition to the proposed roadway improvements) will be provided for the full frontage of the site along the west side of Andrews Chapel Road. The additional asphalt widening will be provided to allow for a bicycle lane. 8. Construct a westbound left-turn lane with adequate storage and appropriate tapers on Leesville Road at the site access point #1. 9. Construct a northbound left-turn lane with adequate storage and appropriate tapers on Andrews Chapel Road at the site access point #5. 	Cover
SIA Commitments	None provided	N/A

Design Commitments Summary (for amenity building only)	<p><u>Architectural Style:</u> no specific architectural style proposed.</p> <p><u>Roofline:</u> flat and sloped (gable, hipped, shed, etc.).</p> <p><u>Building Materials:</u> primary materials will be a choice or combination of brick, block, stone, EIFS, wood, fiber cement/cementitious cladding, vinyl or synthetic board.</p> <p><u>Roofing Materials:</u> choice or combination of shingles, standing seam metal, or recycled synthetic shakes.</p> <p>Distinctive Architectural Features: front facing gable at building entrance, roof dormers, roof cupolas, and stone chimney.</p> <p><u>Transition to Context:</u> similar building scale and material proposed (Carolina Arbors and Brier Creek Crossing).</p> <p>Preservation of natural features within the site will blend with the characteristics of the surrounding area.</p>	<p>Cover</p>
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Appendix E: Adopted Plans Supporting Information

Table E. Adopted Plans	
Comprehensive Plan	
Policy	Requirement
Future Land Use Map	Low Density Residential (4 DU/Ac. or less): Land used primarily for residential uses. Suburban Tier: Land uses that shall be allowed include Recreation and Open Space, Agricultural, Residential, Institutional, Commercial, Office, Research/Research Application, and Industrial.
2.2.2b	Suburban Tier Land Uses: Land uses that shall be allowed include Recreation and Open Space, Agricultural, Residential, Institutional, Commercial, Office, Research/Research Application, and Industrial.
2.3.1a	Contiguous Development: Support orderly development patterns that take advantage of the existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development within the Urban Growth Area.
2.3.2a	Infrastructure Capacity. Consider the impacts to the existing capacities of the transportation, water, and sewer systems, and other public facilities and services. Measure from the potential maximum impact of current policy or regulation to the potential maximum impact of the proposed change in policy or regulation.
8.1.2h	Transportation Level of Service Maintenance: Not recommend approval for any zoning map change which would result in the average daily trips exceeding 110% of the adopted level of service standards for any adjacent road, unless the impact on the adjacent roads is mitigated.
8.1.4a and b	Durham Review and the Adopted Trails and Greenways Plan. Review development proposals in relation to the Durham Trails and Greenways master Plan and seek dedication or reservation of right-of-way or easements and construction of facilities in conformance with that Plan.

Table E. Adopted Plans	
8.1.4c and d	Development Review and the Adopted Bicycle Plans: Review development proposals in relation to the 2006 Comprehensive Durham Bicycle Transportation Plan and the Bicycle Component of the most recent adopted Long Range Transportation Plan, and seek dedication or reservation of right-of-way or easements and construction of facilities in conformance with that Plan and Complete Street design standards.
11.1.1a	School Level of Service Standard: The level of service for public school facilities shall be established as a maximum enrollment of 110 percent of the system's maximum permanent building capacity, measured on a system-wide basis for each type of facility.
11.1.1b	Adequate Schools Facilities: Recommend denial of all Zoning Map amendments that proposed to allow an increase in projected student generation over that of the existing zoning that would cause schools of any type to exceed the level of service.
Long Range Bicycle Plan	
Map 4-8 shows a proposed bicycle lane along Leesville Road and Andrews Chapel Road and a proposed greenway trail through the eastern portion of the site.	
Durham Trails and Greenways Master Plan	
The proposed Brier Creek Trail is shown through the eastern portion of the site.	

Appendix F: Site Conditions and Context Supporting Information

Table F. Site Context			
	Existing Uses	Zoning Districts	Overlays
North	Single family residential, place of worship, forestry, undeveloped	RR	F/J-B
East	Single-family residential, forestry, undeveloped	RR	N/A
South	Educational facility, undeveloped	RR	N/A
West	Single-family residential	PDR 3.700	N/A

Appendix G: Infrastructure Supporting Information

Table G1. Road Impacts		
Leesville Road is the major road impacted by the proposed zoning change. There are no scheduled NCDOT roadway improvement projects in the area.		
Affected Segments		Leesville Road
Current Roadway Capacity (LOS D) (AADT)		12,700
Latest Traffic Volume (AADT)		4,800
Traffic Generated by Present Designation (average 24 hour)*	575	
Traffic Generated by Proposed Designation (average 24 hour)**	1,375	
Impact of Proposed Designation	+800	

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2012)

Leesville Road: 2-lane city/county Class I arterial roadway without left-turn lanes

Source of Latest Traffic Volume: 2013 NCDOT Traffic Count Map

*Assumption (Max Use of Existing Zoning) – RR: 52 single-family lots

**Assumption (Max Use of Proposed Zoning) – PDR 3.291: 134 single-family lots

Table G2. Transit Impacts
Transit service is not currently provided within one-quarter mile of the site.

Table G3. Utility Impacts
This site will be served by public water and sewer.

Table G4. Drainage/Stormwater Impacts
The impacts of any change will be assessed at the time of site plan review. The subject site is of sufficient size and shape to accommodate appropriate stormwater facilities that may be required at this time.

Table G5. School Impacts			
The proposed zoning is estimated to generate 46 students. This represents an increase of 28 students in over the existing zoning. Durham Public Schools serving the site are Spring Valley Elementary School, Neal Middle School, and Southern High School.			
Students	Elementary School	Middle School	High School
Current Building Capacity	16,794	7,760	10,259
Maximum Building Capacity (110% of Building Capacity)	18,473	8,536	11,285
20 th Day Attendance (2014-15 School Year)	16,545	7,465	10,074
Committed to Date (April 2012 – March 2015)	123	51	13
Available Capacity	1,805	1,020	1,198
Potential Students Generated – Current Zoning Durham County*	8	4	6
Potential Students Generated – Proposed Zoning Durham County**	20	11	15
Impact of Proposed Zoning	+12	+7	+9

*Assumption (Max Use of Existing Zoning) – RR: 52 single-family lots

**Assumption (Max Use of Proposed Zoning) – PDR 3.291: 134 single-family lots

Table G6. Water Supply Impacts	
This site is estimated to generate a total of 20,770 GPD if developed to its maximum potential with the proposed zoning district. This represents an increase of 12,710 GPD over the existing zoning district.	
Current Water Supply Capacity	37.00 MGD
Present Usage	21.52 MGD
Approved Zoning Map Changes (April 2012 – March 2015)	0.31 MGD
Available Capacity	15.17 MGD
Estimated Water Demand Under Present Zoning*	8,060 GPD
Potential Water Demand Under Proposed Zoning**	20,770 GPD
Potential Impact of Zoning Map Change	+12,710

Notes: MGD = Million gallons per day

*Assumption (Max Use of Existing Zoning) – RR: 52 single-family lots

**Assumption (Max Use of Proposed Zoning) – PDR 3.291: 134 single-family lots